



UNITED STATES MARINE CORPS

HEADQUARTERS MARINE CORPS AIR STATION MIRAMAR
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StaO 12630.1

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STATION ORDER 12630.1

From: Commanding Officer
To: Distribution List

Subj: ABSENCE AND LEAVE OF CIVILIAN EMPLOYEES

Encl: (1) Annual Leave
(2) Sick Leave
(3) Military Leave
(4) Court Leave
(5) Excused Absence
(6) Leave Without Pay (LWOP)
(7) Maternity Leave
(8) Distinctions Between LWOP and Absence Without Leave (AWOL)

1. Purpose. To publish the policy, procedures, and responsibilities for leave administration.
2. Background. Absence and leave will be administered on an equitable basis, and in a manner that will promote good morale, and maximum efficiency and productivity.
3. Leave Approving Official. Authority to approve accrued leave is delegated to the immediate supervisor. In the immediate supervisor's absence, approval authority reverts to the next higher supervisor available.
4. Type of Leave and Absences. Enclosures (1) through (8) specify the type of leave and absences covered by this Order. Questions concerning absences not covered should be directed to the Labor and Employee Relations Officer, Human Resources Office.
5. Application for Leave, SF-71
 - a. Applications for sick leave of more than 3 days and for both sick and annual leave when the employee will be unavailable to initial the time card, must be made on a signed Application for Leave, SF-71. This form will be submitted to the leave approving official and will be forwarded to the Civilian Payroll Branch along with the time cards, if the leave is approved.

b. All leave, except that required in case of incapacitating illness or bona fide emergencies, will be requested and approved in advance as indicated on detailed instructions for requesting specific leave in enclosures to this Order.

6. Approval or Disapproval of Leave Requests. Leave approving officials will ascertain the circumstances of each request and will promptly notify the employee of the disposition of the leave request.

7. Minimum Leave Charge

a. The minimum charge for annual leave and sick leave shall be one-half hour. Additional leave shall be charged in multiples of one-half hour. Leave absences may not be combined on parts of 2 calendar days to provide for a minimum grant of annual or sick leave.

b. The minimum charge for AWOL is one-quarter hour (15 minutes).

8. Reporting Absences

a. Employees who are unable to report for duty due to illness, injury, or emergencies must cause their supervisor to be notified of the absence as soon as possible, but not later than 2 hours after their scheduled starting time. Shift workers, including fire fighters, must make every reasonable effort to cause their supervisor to be notified as far in advance of the start of their scheduled shift as possible. Unless notification is made for more than 1 day, the employee must contact the supervisor within the above notification periods for each day of absence.

b. Mere unforeseen circumstances, such as transportation difficulties, minor accidents requiring repairs to automobiles, and ordinary illness of the employee or members of the immediate family, do not justify failure to notify the supervisor promptly. If notification is made by telephone, the supervisor is not obligated to make a decision on approval or disapproval of leave, but may delay the decision until the employee returns to work. Failure to give notice as required may result in the absence being charged as AWOL.

c. The determination whether to approve or disapprove requested leave which was not approved in advance, rests with the supervisor. There is no automatic entitlement to leave on the sole basis that unforeseen circumstances, in the employee's opinion, required absence from duty.

9. Changes To and From Daylight Savings Time. The hour lost to the employee on the 8 hour shift in which the change to daylight savings time occurs will be covered by a charge of 1 hour against annual leave in order for payment to be made for all 8 hours. The employee on whose shift the change from daylight savings time to standard time is made will be paid overtime for the extra hour of work. No work time is lost or gained in the case of fire fighters within 24-hour tours of duty, and no charge to leave or crediting of overtime will be made.

10. Labor-Management Agreements. Noting in this Order will alter leave provisions contained in the negotiated Master Labor Agreement or the negotiated Agreement between the National Association of Government Employees and Marine Corps Air Station Miramar. Management officials assigned leave administration responsibilities will ensure that the provisions of such agreements, as well as those herein, are appropriately administered.



A. CAUGHLAN

Distribution: MCAS: A

ANNUAL LEAVE

1. Accrual and Credit. Employees accrue annual leave when in a pay status on the basis of creditable civilian Federal service and certain honorable active military service. Earning rates for full-time employees:

| <u>Years of Service</u> | <u>Days Per Year</u> |
|-------------------------|----------------------|
| Up to 3 | 13 |
| 3 to 15 | 20 |
| 15 or more | 26 |

Fire Fighters on a 72-hour schedule:

| | |
|------------|----------------|
| Up to 3 | 15 and 7 hours |
| 3 to 15 | 24 |
| 15 or more | 31 and 2 hours |

2. Maximum Accumulation. Employees are entitled to accumulate annual leave until it totals not more than 30 days (240 hours) at the beginning of the first weekly pay period in each year. However, leave in excess of this limit to the credit of employees at the end of the last pay period in the year shall remain to their credit until used. Any annual leave in excess of these maximum accumulations is automatically forfeited.

3. Requesting Annual Leave

a. The supervisor will establish a tentative vacation schedule for employees under supervision based on employee requests for annual leave submitted by 1 April of each calendar year. If approval cannot be granted for all employees requesting leave for a particular time frame, conflicts will be resolved as per individual seniority, based on length of service in the office/shop. Employees who have scheduled leave in this manner will be given preference over employees who may request leave at a later date.

b. Employees may request annual leave for periods not scheduled under paragraph 3a above, at any time during the calendar year. Such requests will be submitted in advance and will be considered and acted on in the order they were received, with preference going to the individual who first made the request. If the requests are received the same day, preference will be shown to the individual with the greatest amount of shop/office seniority.

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c. Requests for annual leave of 1 or 2 days will be made at least 1 day in advance. Normally, requests for longer periods of absence will be made at least 2 weeks in advance.

4. Granting Annual Leave

a. Planning Annual Leave. Supervisors are responsible for determining when and to what extent annual leave will be granted. They will grant and direct the use of annual leave to prevent any loss of annual leave at the end of the leave year as well as provide work load coverage. Supervisors will ensure that employees schedule all "use or lose" annual leave by 1 September of each year.

b. Advance Annual Leave. Leave authorized in excess of the current accrued annual leave shall be charged to LWOP as it is not the policy of this command to grant advanced annual leave except for hardship cases where leave may be granted not to exceed the amount that would accrue during the remainder of the leave year. Approval of such leave is a management prerogative within the scope of this Order. Advance annual leave may not be granted if it is known the employee will not return to duty or if a pending separation would preclude normal leave accrual.

c. Outside Organizations. When work load permits, employees will be granted annual leave for the purpose of attending conventions or conferences of organizations of which they are members. Every effort will be made to permit leave for the observation of religious holidays by employees of all faiths.

d. Denial. Denial of annual leave use will be based upon factors which are reasonable and which do not discriminate against any employee or group of employees.

e. Separation. Upon separation, an employee will be paid (lump-sum) for unused accrued annual leave.

5. Temporary Restoration of Forfeited Annual Leave. Forfeited annual leave may be temporarily restored when it was forfeited due to operational demands or sickness, provided that the annual leave was scheduled, in writing, in advance. An approved SF-71 will be used to document the scheduling, in writing, of annual leave. The decision to schedule annual leave for use must be made, in writing,

prior to the beginning of the third bi-weekly pay period before the end of the leave year. Restored forfeited annual leave must be scheduled and used no later than the end of the leave year ending 2 years after the termination date of the operational demand or the date the employee is determined to be recovered and able to return to duty following sickness. If the restored leave is not used before separation (if this occurs before the specified time limit for use), the employee receives a lump-sum payment for the unused leave.

a. Operational Demands. Temporary restoration of annual leave forfeited because of operational demands is authorized provided that such leave was scheduled in writing before 1 September. The determination that an operational demand is of such importance that employees cannot be excused from duty for the duration of the demand will normally be made in advance. Only a bona fide emergency would preclude making the decision in advance. Before cancellation of scheduled leave, or the assignment of employees who will forfeit annual leave because of work requirements generated by the operational demand, it must be determined that there is no alternative to this action. A specific beginning and ending date of the operational demand must be fixed, in advance, unless the suddenness or uncertainty of the circumstances prevent advance decision. Absence of one or more employees due to illness may generate problems for the work area because the work performed by the employee(s) must be accomplished by the remaining work force. Work load considerations that are affected by employee absences due to illness, may not be used as the basis for canceling scheduled leave or for rescheduling the use of annual leave to avoid forfeiture for other employees, unless the requirements relating to the operational demand are completely satisfied. The determination that an operational demand is of such importance that employees cannot be excused from duty for the duration will be made by the Commanding Officer, MCAS Miramar, or applicable activity commander. Department heads will submit necessary documentation on which a determination can be made, including a beginning and ending date of the operational demand. The request will be submitted via the Human Resources Office. The request will be made as soon as the operational demand is known and must be submitted within sufficient time frame prior to the end of the leave year to allow the employee(s) to use the excess annual leave if the request is denied. In extreme emergency situations, as in the last days of

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the end of the leave year, approval of the Commanding Officer, or applicable activity commander, may be obtained via telephone. Upon approval, a formal written request following the procedures outlined above will be promptly submitted.

b. Sickness. Annual leave that was forfeited because of illness will be temporarily restored provided that: (1) such leave was scheduled in writing, prior to the beginning of the third biweekly pay period before the end of the leave year, and (2) the period of absence due to sickness occurred at such time late in the leave year or was of such a duration that the annual leave could not be rescheduled for use before the end of the leave year.

SICK LEAVE

1. Accrual and Credit. Employees, except fire fighters, accrue sick leave when in a pay status, at the rate of 4 hours for each biweekly pay period. Fire fighters earn 7 hours each biweekly pay period and 12 hours for the last pay period in the calendar year. There is no limit to the amount of sick leave an employee may accumulate.

2. Requesting Sick Leave. When unable to report to work because of illness or injury, employees must cause their supervisor to be notified of the absence as soon as possible, but no later than 2 hours after the beginning of their work shift. Shift workers, including fire fighters, must make every reasonable effort to cause their supervisor to be notified as far in advance of their scheduled shift as possible.

3. Granting Sick Leave

a. All requests for sick leave of more than 3 days will be submitted on Application for Leave (SF-71). Requests for sick leave will be approved or disapproved promptly, making certain that the employee is aware of such action and the specific reason if disapproved.

b. Accrued sick leave will be granted to an employee when the employee:

(1) Is incapacitated for the performance of duty due to illness, injury, or pregnancy and confinement.

(2) Receives medical, dental, or optical examination or treatment.

(3) Is required to give care and attendance to a member of the employee's immediate family who has a contagious disease; or when through exposure to a contagious disease, the presence of the employee at the post of duty would jeopardize the health of others. Contagious disease means a disease which is subject to (in the opinion of the appropriate health authority) quarantine or requires isolation or restriction of movement for a specified period of time.

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(4) Dies without returning to duty and without making application for sick leave for the time immediately prior to death because of illness or disability.

(5) Is to be separated for disability retirement or separation disability.

(6) Is required to undergo physical examination for military training duty or promotion in the Reserves.

4. Recording Sick Leave

a. Except as noted below, when employees report they are ill and unable to work, they will be carried on sick leave, if available, pending receipt of substantiating evidence as may be required and approval of the leave. If sick leave is not available, they will be carried on annual leave; if neither is available, on LWOP. However, if there is reason to doubt the validity of the sick leave, salary payment may be withheld pending decision on the leave. In such cases, employees will be carried in a pending (no-pay) status until a determination is made as to the approval of the sick leave.

b. Enclosure (8) describes AWOL and its relationship to other kinds of leave or absence. In addition to the situations covered by enclosure (8) and notwithstanding the provisions of subparagraph 4a above, if employee has exhausted accrued leave and approval for the period of absence is not granted, the employee will be carried in an AWOL status.

5. Medial Certificate

a. Periods of absence on sick leave in excess of 3 workdays, or in the case of fire fighters after absences of 2 consecutive 24-hour shifts, must ordinarily be supported by a medical certificate. The certificate must be filed as soon as possible but no later than 15 calendar days after return to duty. The employee's signed statement explaining the nature of the illness may be accepted by the leave approving official, when it is unreasonable to require a medical certificate because of shortage of physicians, remoteness of locality, or because the illness did not require the services of a physician.

b. A request for sick leave to care for a member of the family suffering a contagious disease requiring isolation or quarantine must be supported by a statement from the health authority having jurisdiction.

c. Failure to submit a medical certificate when required may be considered a basis for denying sick leave, but will not in itself be considered an offense warranting disciplinary action. Disciplinary action may, however, be based on authorized absence resulting from denial of sick leave.

d. A medical certificate merely attesting that the employee was seen by a practitioner on a given date may not, in itself, be sufficient evidence that sick leave is warranted when submitted in support of an alleged illness incapacitating the employee for duty. The medical certificate should provide the authorizing official sufficient documentation on which to determine the length of absence for which sick leave is requested.

6. Medical, Dental, or Optical Examination or Treatment. Requests for sick leave for scheduled medical, dental, or optical examination or treatment will be made at least 1 workday before such leave. In determining the amount of leave to be authorized for such examination or treatment, consideration should be given to such factors as distance, time of day, residence of employee, etc. When possible, employees should make appointments in the late afternoon or at times when there will be a minimum of interference with work requirements.

7. Abuse.—The problem of sick absenteeism is a serious and costly one and requires careful consideration by all supervisors who are authorized to approve leave. An important phase of each supervisor's job in sick leave administration is to identify those few employees who disregard sick leave regulations. In the attempt to identify employees who may abuse the sick leave regulations, supervisors must avoid offense to the majority of employees who conscientiously observe these regulations.

a. When the immediate supervisor believes an employee is abusing the sick leave privilege, the employee will be counseled and informed that the supervisor has the authority to require a medical certificate to support absences for sickness, regardless of duration, if apparent abuse of sick leave continues.

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b. When the counseling session does not result in improvement in the employee's sick leave record, the employee will be informed, in writing, that all future requests for sick leave must be supported by a medical certificate. The written notice will be prepared by the Human Resources Office.

c. The attendance record of an employee required to submit a medical certificate for each absence will be reviewed annually. The requirement will be rescinded, in writing, when improvement in the sick leave record warrants.

8. Advanced Sick Leave

a. A maximum of 30 days sick leave (240 hours) may be granted to non temporary employees in cases of serious disability or illness which will require the employee to be absent over an extended period of time. Sick leave will not be advanced for minor or chronic illnesses or disabilities causing absences of less than 5 days, or absences of 5 days or less beyond that for which sick leave or annual leave is available. Sick leave will not be advanced when it is known that the employee is contemplating retirement or resignation. There must be reasonable assurance that the employee will return to duty. Accrued annual leave must be exhausted before sick leave is advanced.

b. Requests for advanced sick leave will be accompanied by a medical certificate specifying the nature of the illness and the expected period of incapacitation. The immediate supervisor will recommend disposition of the request and forward it through successive supervisory levels to the Department or Staff Office Director for disposition. If disapproved, the employee will be notified promptly.

9. Visits to the Branch Medical Clinic. Employees who become ill on the job may be directed to the nearest NRM Branch Clinic. The employee will be excused for this purpose if returned to work immediately following treatment. Employees sent home, referred to their own doctor, or other Station medical facilities will be charged sick leave, if available, from time of departure from the job until return to duty.

10. On-the-Job Injury

a. Time spent by employees obtaining initial examination and/or treatment for a work incurred injury will be considered duty status and will not be charged to leave. Any scheduled overtime for the day will be neither reduced nor extended for purposes of the examination or treatment. Employees who are injured during an unscheduled overtime tour of duty will be carried in a pay status for the duration of the period required for examination and/or treatment, but not to exceed 2 hours.

b. Time spent securing reexamination or treatment of previously diagnosed and treated job-related injuries during regular scheduled working hours will be handled as follows:

(1) In the case of traumatic injury, employees will be continued in a pay status unless the 45 day continued pay for such case is exhausted, in which case, paragraph 10b(2) below applies.

(2) In the case of all other job-related injuries, absences in excess of 1/2 hour will be charged to leave or LWOP.

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MILITARY LEAVE

1. Military Leave. Employees serving under career, career-conditional, taper, or term appointments, who are members of the National Guard, or Reserve components of the Armed Forces are entitled to military leave, not to exceed 15 calendar days in any fiscal year, when ordered to active duty or engaged in field or coast defense training.
2. Reserve Components. Reserve components of the Armed Forces are:
 - a. The Army National Guard of the United States
 - b. The Army Reserve
 - c. The Naval Reserve
 - d. The Marine Corps Reserve
 - e. The Air National Guard of the United States
 - f. The Air Force Reserve
 - g. The Coast Guard Reserve
3. Types of Military Duty Not Covered. Employees are not eligible for military leave for the following types of service:
 - a. Summer training as members of Reserve Officers Training Corps, when employees must be carried in a LWOP status.
 - b. Temporary Coast Guard Reserve.
 - c. Participation in parades as members of the State National Guard.
 - d. Training with a state defense organization or a state military organization which is not a part of the National Guard or any other organization created by the state in the absence of the State National Guard during an emergency.
 - e. Civil Air Patrol.

f. Time taken on a workday to travel to the place where the training is to begin unless military training orders encompass the period of travel time required.

4. Requests and Documentation for Military Leave. Applications for military leave will be made as far in advance as circumstances permit and will require a copy of orders to training duty, issued by competent authority. Within 5 days after return to duty from military leave, employees will submit a certified copy of orders indicating completion of training duty to their supervisor for forwarding to the Civilian Payroll Branch, Accounting Division.

5. Annual Leave or LWOP. Employees called for training or active duty beyond the 15 days authorized for military leave may use annual leave for such absences. Before employees request a military unit to provide training which will exceed that authorized, they should obtain advance approval for annual leave or LWOP. Employees may be granted annual leave or LWOP for participation in military activities for which military leave is not allowable under the same conditions as would apply to any leave request. For example, those in a state military organization.

6. Computation of Military Leave. Any portion of the 15 days unused in a fiscal year may be carried over to the next fiscal year, not to exceed 15 days.

7. Unused Military Leave. Any portion of the 15 days unused in a fiscal year may be carried over to the next fiscal year, not to exceed 15 days.

8. Part time Employees. Part-time employees (as defined by Title 5, USC 3401(2)) are entitled to military leave on a prorated basis. The rate is determined by dividing 40 into the number of regularly scheduled hours for the employee.

9. Law Enforcement Leave. A special category of military leave for non-temporary employees for the purpose of providing military aid to enforce the law, up to 22 workdays in a calendar year, is authorized. The use of this leave is dependent on official military orders expressly issued for the purpose of aiding in law enforcement in such situations as riots or prevention of looting in a disaster. Guardsmen may be ordered to duty by the governor of the state or may be federalized. The purpose of this leave is

different from that of the 15 days per year military leave; therefore, they are not interchangeable. This leave may not be used to authorize any days in excess of 15 for training or other non-law enforcement duty.

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COURT LEAVE

1. General Provisions

a. Court leave will be granted to career, career conditional, or temporary employees when serving on jury duty or when summoned as a witness in judicial proceedings to testify in a non-official capacity on behalf of a state or local government. Employees summoned by a court for the purpose of qualifying for jury service are entitled to court leave for the period of absence, whether or not they are actually selected. If an employee is not required to report for, or is excused from court for a portion of the day, the employee will be expected to report for work if the employee can report and work for 2 or more hours; or, the employee may request annual leave for the remainder of the day. A night shift employee who performs jury service during the day will be granted court leave for the regular scheduled night tour of duty.

b. The term "judicial proceeding" includes any action, suit, or other proceeding of a judicial nature (including any condemnation, preliminary, informational, or other such proceeding) but does not include an administrative proceeding. All stages of the proceeding would be covered, including proceedings, and coroner's inquests.

2. Substantiating Requests for Court Leave

a. To be granted court leave, an employee will submit to the supervisor a copy of the summons for jury duty, or witness service prior to the beginning date of such service.

b. Upon return to duty after the period of service, the employee will submit an SF-71 to cover the period of service and a copy of the summons will be attached to the first SF-71 submitted for courts service. At the end of the court day, an attendance certificate is provided to the employee. Attach the attendance certificates along with the SF-71 and present them to the supervisor to forward to the Payroll Branch. If the attendance certificates are not provided to the Payroll Branch, the employee will be charged annual leave or leave without pay for any day that a certificate or attendance is not provided.

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3. Compensation and Fees for Jury Duty. An employee who is on Court Leave for jury duty or as a witness on behalf of a state or local government in a state or municipal court should collect all fees and allowances. Employees may retain any allowances paid to reimburse them for the costs of meals, mileage, transportation, etc. Fees for service must be turned into the activity. Employees will, within 5 days after receipt of fees following final discharge by the court, report to the Civilian Payroll Branch, Accounting Division, to arrange for collection and disposition of fees received. The Disbursing Officer will make collection and forward a copy of the collection voucher and the Jury Duty and Court Attendance Certificate to the Civilian Payroll Branch.

4. Compensation and Fees for Witness Service

a. When an employee is called as a court witness to testify in an official capacity as a Federal employee or to testify in a non-official capacity on behalf of the United States Government or that of the District of Columbia, the employee is considered in an official duty status and entitled to regular compensation without regard to court leave. Employees in this category are not eligible for witness fees of any kind. Any travel or per diem expenses are paid by the activity concerned.

b. If the witness service in a non-official capacity is performed on behalf of a private party, the employee's absence from duty must be charged as either annual leave or LWOP. Under these circumstances, the employee is entitled to receive and retain any fees or expenses incidental to such service.

EXCUSED ABSENCE

1. An excused absence is an absence from duty administratively authorized without loss of pay and without charge to leave. Situations for which administrative excusal is appropriate are listed below. Questions regarding situations not listed should be referred to the Human Resources Office.

a. Voting and Registration

(1) Employees will be excused for a reasonable time to vote or register in any election or in referendums on a civic matter in their community.

(2) As a general rule, an employee whose place of voting is within commuting distance is entitled to 3 hours in which to vote (not necessarily 3 hours off work). Employees are required to take their excused time for voting at whichever end of the working day requires the least amount of time away from work.

(3) If an employee's voting place is within 35 miles, it is considered to be within commuting distance. Questions regarding cases of employees whose voting places are over 35 miles distance from their work station and who desire additional excused time will be referred to the Human Resources Office.

b. Tests and Interviews

(1) Employees will be excused without charge to leave or loss of pay for the following purposes:

(a) To compete in written or oral tests, or to be interviewed when such tests or interviews are conducted during regularly scheduled working hours, and competition is for positions at MCAS Miramar, Camp Pendleton, or Marine Corps Recruit Depot.

(b) To take written tests required for conversion to career-conditional appointments, or noncompetitive examinations within this activity.

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(2) Time spent in examinations or interviews in circumstances other than those indicated above (including competing for positions at Naval activities outside the commuting area and competing for non-Navy positions under any circumstances) will be charged to annual leave or LWOP.

c. Tardiness. Tardiness, not exceeding 1/2 hour after the shift or workday begins, may be excused. Approved absence because of tardiness in excess of 1/2 hour will be charged to annual leave or handled administratively by requiring additional periods of work. When annual leave is charged, the employee may not be required to work during the period for which charged annual leave. If the reason for being tardy is not adequate or this privilege is abused, the proper action is not to excuse and to charge the employee as AWOL.

d. Unavoidable Absence of Less than One-Half Hour. Less than 1/2 hour's unavoidable or necessary absence from duty after reporting for work will be handled in the same manner as tardiness.

e. Attending Conferences or Conventions. Employees who are authorized to attend conferences and conventions related to their job responsibilities are considered to be in a duty status during such attendance. Time thus spent is, therefore, neither charged to leave nor considered excused.

f. Representing Employee Organizations. Employees who are representatives of employee organizations will be allowed reasonable excused absence as authorized by negotiated agreements.

g. Draft Registration and Examination

(1) Employees required to register under the Military Selective Service Act will be excused for the time necessary, not to exceed 1 day. Time in excess of 1 day is chargeable to annual leave.

(2) Employees called for examination for duty in the Armed Forces under the Act will be excused. If absence exceeds 1 day, the employee will be required to submit a statement from the examining office explaining the need for the additional absence.

h. Emergency Rescue or Protective Work. Employees called to emergency duty in the National Guard or State Guard or called to participate in Civil Air Patrol searches may be excused up to 3 consecutive days. Absences in excess of this period will be referred to the Human Resources Office for approval by Headquarters Marine Corps.

i. Funeral of Immediate Relative Killed in Line of Duty. Employees may be excused from duty to attend the funeral of a member of their immediate family killed in the line of duty in the Armed Forces. The length of absence should be based on the circumstances of each request. Immediate family members include spouse and children of the employee, parents, brothers, sisters, parents-in-law, sons-in-law, daughters-in-law, and any other relative who resided as a member of the employee's household at the time of the entrance into the Armed Forces.

j. Blood Donation. Participation in the Blood Donor Program is strongly encouraged and employees who serve as blood donors will be excused from work without charge to leave for the time necessary to donate the blood and for recuperation following blood donation. It should be recognized that individual requirements for recuperation following blood donation may differ. Employees who volunteer as blood donors at the Mobile Blood Bank at this activity will be excusable for the time necessary for this purpose. Normally, the maximum excusal time will not exceed 4 hours.

k. Attendance at Credit Union Meetings. Employees who serve as members of the board of directors of a DOD Credit Union may be excused to attend meetings of associations, leagues, or councils formed by DoD credit unions when the purpose is directly related to the DoD credit union program.

l. Attendance and Participation at Meetings and Command Sponsored Functions

(1) It is the policy of this command to encourage attendance and participation in meetings of technical, professional, scientific, educational and managerial societies to the extent that the meeting will:

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(a) Provide information concerning new developments, techniques, methods and otherwise pertinent information which will contribute to the programs and mission of the United States Marine Corps and Department of the Navy.

(b) Serve as a medium of exchange of scientific, technical, managerial and other informational data consistent with Marine Corps and Navy interests.

(c) Contribute to the personal development and professional growth of individuals attending.

(d) Contribute to improved conduct, supervision or management of those functions or activities for which funds are appropriated.

(2) Programs covered by this policy will include, but are not limited to: Toastmasters, Federal Manager's Association, American Society of Military Comptrollers and various Equal Employment Opportunity functions.

(3) Employees must request authorization from their supervisors to attend such meetings. Authorization will normally be granted unless precluded by pressing work requirements.

(4) The time spent during these functions will be recorded as administrative (on the clock) or for organization that charge their hours to job orders, the time will be recorded as training. Employees will not be required to use annual leave to attend such meetings or training.

LEAVE WITHOUT PAY (LWOP)

1. Leave without pay is a period of approved absence from duty in a non pay status granted upon the employee's request. Approving LWOP is a matter of administrative discretion. Employees cannot demand that they be granted LWOP as a matter of right except in the case of:

a. Disabled veterans (when annual or sick leave has been exhausted) for the purpose of receiving medical treatment, upon presentation of an official statement from a duly constituted medical authority that such treatment is required. The granting of such leave is contingent upon the veteran's giving prior notice of definite days and hours of absence required for medical treatment.

b. Reservists and members of the National Guard are entitled to LWOP when required to perform active duty for training or inactive duty training in the Armed Forces when military leave has been exhausted.

2. Each request for LWOP should be examined closely to determine that the value to the Station or the serious needs of the employee offsets the expense and inconvenience involved. As a basic condition to approval of extended LWOP, there should be reasonable expectation that the employee will return to active Federal Service at the end of the approved period. At least one of the following benefits should be expected as a result of extended LWOP: Improved performance capabilities, protection or improvement of employee's health, or retention of a desirable employee. Among the costs and inconveniences to be considered are encumbrance of a position, loss of needed services, obligation to provide active employment at the end of the leave period, credit of 6 months of each year toward retirement and eligibility for continued coverage under the group life insurance and health insurance programs (without cost to the employee) up to 1 year. Each case must be considered on its individual merit. The following are examples of situations in which extended LWOP would be proper if all other factors were favorable:

a. To protect an employee's status and benefits while action is pending by the Office of Workers' Compensation on a work incurred injury or illness. An employee receiving injury compensation from the Office of Workers' Compensation may be carried on LWOP not to exceed 1 year.

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b. For purposes of recovery from illness or disability not of a permanent or disqualifying nature, when continued employment or immediate return to employment would threaten impairment of the employee's health or health of other employees.

c. To avoid a break in service, up to 90 days LWOP may be granted to career-conditional employees who are dependents of military personnel or Federal employees required to move on rotational assignment, transfer of function, or relocation of an activity. Such LWOP should be granted only if it is the intent of the employee to seek Federal employment at the new location and the employee's work has been satisfactory and warrants continued Federal employment.

d. To protect employee status and benefits during any period pending final action by the Office of Personnel Management on a claim for disability retirement, after all sick and annual leave has been exhausted.

e. For educational purposes, when the course of study is in line with a type of work which is being performed by the command and completion of which contributes to its best interests.

f. For maternity or paternity reasons to enable parents to care for newborn children without incurring a break in service.

3. Request for LWOP for less than 30 days will be approved by the supervisor who regularly approves leave. Requests for LWOP of 30 days or more will be subject to the approval of the Department or Staff-Office Director. If approved, the Director will submit a Standard Form 52, Request for Personnel Action, to the Human Resources Office, specifying the period for which approved. When an employee who has been on extended LWOP returns to duty, a Standard Form 52 will be prepared indicating return to duty date, and the Employment Division, Human Resources Office, will be notified by telephone on the day the employee returns to duty.

MATERNITY LEAVE

1. General

a. Pregnancy is a condition which eventually requires the employee to be absent from the job because of incapacitation. As means of accommodating this temporary incapacitation, appropriate leave is to be granted to the employee; however, there is not a separate maternity leave as a type of leave. To the extent available, sick leave may be used to cover the time required for physical examinations and to cover the period of incapacitation. An absence covering pregnancy and confinement is to be treated like any other medically certified temporary disability. The granting of leave for maternity reasons may include a combination of sick leave, annual leave, and LWOP. Normally, LWOP will be granted only when appropriate accrued leave has been exhausted.

b. Periods of absence related to pregnancy and confinement which are not medically certified as due to incapacitation for the performance of duty, may not be charged to sick leave; they must be charged to annual leave or to LWOP, if requested by the employee and approved by the leave approving official.

2. Employee Responsibility. An employee should make known intent to request leave for maternity reasons including the type of leave, approximate dates, and anticipated duration. Requests for leave for maternity reasons will be supported by medical certification, as in the case of any other medical condition requiring absence from duty.

3. Supervisory Responsibility

a. The supervisor's overall objective will be to provide gainful employment and make use of skills for as long as the employee is not incapacitated for duty.

b. The supervisor should be aware of any particular working conditions or strenuous requirements which may be a part of the work environment and which could have an adverse effect upon employees with various physical conditions. The supervisor should check with the Branch Clinic to determine if any of these elements

ENCLOSURE (7)

could have a harmful effect upon the pregnant employee or the unborn child, and the employee should be advised of the medical opinion. The employee should be advised to consult with own physician on the matter.

c. If the employee presents a medical certificate specifying physical limitations and request temporary modification of duties or temporary reassignment to other work for which qualified, reasonable effort should be made to accommodate the request.

4. Absence for Paternity Reasons. A male employee may request only annual leave or LWOP for purposes of assisting or caring for minor children or the mother of the employee's newborn child while the mother is incapacitated for maternity reasons. Approval of leave for this reason should be consistent with the policy for granting leave in similar situations, and each leave request should be considered on its own merits.

DISTINCTIONS BETWEEN LWOP AND ABSENCE WITHOUT LEAVE (AWOL)

1. Since LWOP is defined as a nonpay status granted at the request of an employee, it follows in general that an employee may not be placed on LWOP (as distinguished from unauthorized absence--AWOL) without consent. When leave (annual or sick) has been requested and approved, but the employee has no leave, conversion to LWOP is not LWOP without the employee's consent.
2. Absence Without Leave (AWOL). This is the descriptive title for absence for which the employee did not obtain advance approval or for which subsequent request has been disapproved. When an employee, who is absent without prior approval, fails to notify the supervisor or other appropriate person of the reason for absence, AWOL should be recorded. Upon return, if the reason for the absence warrants, the time may be converted to annual leave, sick leave, or LWOP, as appropriate. If leave is disapproved, the time remains charged to AWOL. The nonpay status resulting from charging time to AWOL is not in itself a disciplinary action. The employee may, however, be disciplined for the unauthorized leave.

ENCLOSURE (8)



UNITED STATES MARINE CORPS

HEADQUARTERS MARINE CORPS AIR STATION MIRAMAR
PO BOX 452008
SAN DIEGO CA 92145-2008

StaO 12630.1 Ch 1
HRO

7 NOV 2000

STATION ORDER 12630.1 CH 1

From: Commanding General
To: Distribution List

Subj: ABSENCE AND LEAVE OF CIVILIAN EMPLOYEES

Encl: (1) New Enclosure (9)
(2) New Enclosure (10)

1. Purpose. To add new page inserts into the basic Order.

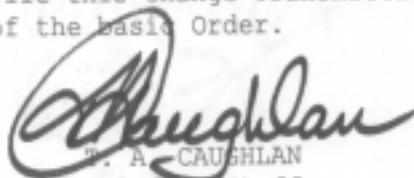
2. Action

a. On the letterhead page, under "Encl:", add new Enclosures "(9) Maternity Leave" and "(10) Distinctions Between LWOP and Absence Without Leave (AWOL)."

b. On the letterhead page, paragraph 4, first sentence, change "Enclosures (1) through (8)" to read "Enclosures (1) through (10)."

b. Add new Enclosures (9) and (10) to the basic Order.

3. Filing Instructions. File this Change Transmittal directly behind the signature page of the basic Order.


T. A. CAUGHLAN
Chief of Staff

DISTRUBTION: A

MATERNITY LEAVE

1. General

a. Pregnancy is a condition which eventually requires the employee to be absent from the job because of incapacitation. As means of accommodating this temporary incapacitation, appropriate leave is to be granted to the employee; however, there is not a separate maternity leave as a type of leave. To the extent available, sick leave may be used to cover the time required for physical examinations and to cover the period of incapacitation. An absence covering pregnancy and confinement is to be treated like any other medically certified temporary disability. The granting of leave for maternity reasons may include a combination of sick leave, annual leave, and Leave Without Pay (LWOP). Normally, LWOP will be granted only when appropriate accrued leave has been exhausted.

b. Periods of absence related to pregnancy and confinement which are not medically certified as due to incapacitation for the performance of duty, may not be charged to sick leave; they must be charged to annual leave or to LWOP, if requested by the employee and approved by the leave approving official.

2. Employee Responsibility. An employee should make known the intent to request leave for maternity reasons including the type of leave, approximate dates, and anticipated duration. Requests for leave for maternity reasons will be supported by medical certification, as in the case of any other medical condition requiring absence from duty.

3. Supervisory Responsibility

a. The supervisor's overall objective will be to provide gainful employment and make use of their skills for as long as the employee is not incapacitated for duty.

b. The supervisor should be aware of any particular working condition or strenuous requirements which may be a part of the work environment and which could have an adverse effect upon employees with various physical conditions. The supervisor should check with the Branch Clinic to determine if any of these elements could have a harmful effect upon the pregnant employee or the unborn child,

7 NOV 2000

and the employee should be advised of the medical opinion. The employee should be advised to consult with their own physician on the matter.

c. If the employee presents a medical certificate specifying physical limitations and request temporary modification of duties or temporary reassignment to other work for which qualified, reasonable effort should be made to accommodate the request.

4. Absence for Paternity Reasons. A male employee may request sick leave (under the FMLA provisions), annual leave or LWOP for purposes of assisting or caring for minor children or the mother of the employee's newborn child while the mother is incapacitated for maternity reasons. Approval of leave for this reason should be consistent with the policy for granting leave in similar situations, and each leave request should be considered on its own merits.

ENCLOSURE (9)

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DISTINCTIONS BETWEEN LWOP AND ABSENCE WITHOUT LEAVE (AWOL)

1. Leave Without Pay (LWOP). Since LWOP is defined as a nonpay status granted at the request of an employee, it follows in general that an employee may not be placed on LWOP (as distinguished from unauthorized absence--AWOL) without consent. When leave (annual or sick) has been requested and approved, but the employee has no leave, conversion to LWOP is not LWOP without the employee's consent.

2. Absence Without Leave (AWOL). This is the descriptive title for absence for which the employee did not obtain advance approval or for which subsequent request has been disapproved. When an employee, who is absent without prior approval, fails to notify the supervisor or other appropriate persons of the reason for absence, AWOL should be recorded. Upon return, if the reason for the absence warrants, the time may be converted to annual leave, sick leave, or LWOP, as appropriate. If leave is disapproved, the time remains charged to AWOL. The nonpay status resulting from charging time to AWOL is not in itself a disciplinary action. The employee may, however, be disciplined for the unauthorized leave.

ENCLOSURE (10)

(7 NOV 2000)